

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SANDRA E. FLUCK,)	
)	
Plaintiff,)	
)	C. A. No. 06-188-GMS
v.)	
)	
BELLA VISTA DEVELOPMENT, LLC,)	
a Virginia corporation, BELLA VISTA)	TRIAL BY A JURY DEMANDED
TOWNHOME CONDOMINIUM)	
ASSOCIATION, INC., a Delaware)	
Corporation, RESORT REALTY GROUP,)	
INC., a Delaware corporation, WILLIAM J.)	
MITCHELL, individually, and WAYNE)	
MITCHELL, individually,)	
)	
Defendants.)	

**DEFENDANT RESORT REALTY GROUP, INC.'S
MOTION FOR SUMMARY JUDGMENT**

Defendant Resort Realty Group, Inc. ("Defendant"), by and through its undersigned counsel, hereby moves this Court for an Order granting summary judgment in its favor pursuant to Rule 56 of the Federal Rules of Civil Procedure.

Defendant respectfully refers the Court to the factual assertions and legal arguments made in Defendant's Opening Brief in support of this Motion, filed contemporaneously herewith and included herein by reference.

WHEREFORE, Defendant respectfully requests this Court to grant Defendant Resort Realty Group, Inc.'s motion for Summary Judgment and to award such other relief as is just and proper.

FERRY, JOSEPH & PEARCE, P.A.

/s/Robert K. Pearce

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Resort Realty Group, Inc.

Dated: June 21, 2007

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MITCHELL, individually, and WAYNE)	
MITCHELL, individually,)	
)	
Defendants.)	

ORDER

AND NOW, TO-WIT, this _____ day of _____, 2007, the foregoing Motion for Summary Judgment having been presented to and considered by the Court,

IT IS HEREBY ORDERED that Defendant Resort Realty Group, Inc.'s motion is GRANTED.

The Honorable Gregory M. Sleet
United States District Court Judge

CERTIFICATE OF SERVICE

I, Robert K. Pearce, Esquire do hereby certify that on June 21, 2007 I electronically filed the foregoing *Defendant Resort Realty Group, Inc.'s Motion for Summary Judgment* with the Clerk of Court using CM/ECF which will send notification of such filing to the following:

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Dated: June 21, 2007